

JC10 Rec'd PCT/P.T.O 23 MAY 2005



PATENT

Atty. Docket: 1423-5 PCT US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Michael John Radley Young et al.

Serial No.: 10/509,258

Group: Unknown

Filed: September 27, 2004

Dated: May 20, 2005

For: IMPROVED SURGICAL TOOL MECHANISM

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 dated May 11, 2005, a copy of which is attached hereto, a Submission of Declaration/Power of Attorney, a duly executed Combined Declaration and Power of Attorney and a check in the amount of \$65.00, were mailed to the U.S. Patent and Trademark Office on April 4, 2005 by the undersigned attorney for the applicants.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 20, 2005.

Dated: May 20, 2005

David M. Carter

(Type or print name of person mailing paper)

*David M. Carter*

(Signature of person mailing paper)

05/26/2005 SNAJARRO 00000079 502140 10509258

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Attached herewith are copies of the documents submitted and a copy of the postcard which was date stamped by the U.S. Patent and Trademark Office on April 6, 2005.

The Commissioner is authorized to charge any additional fees, or credit any overpayment to Deposit Account No. 50-2140, without further authorization.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David M. Carter". The signature is fluid and cursive, with the first name "David" and last name "Carter" being clearly legible.

David M. Carter  
Registration No. 30,949  
Attorney for Applicants

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THE U.S. PATENT AND TRADEMARK OFFICE DATE  
STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Submission of Combined Declaration/Power of Attorney
2. Executed Combined Declaration/Power of Attorney
3. Check in the amount of \$65.00
4. Return postcard

All submitted under Certificate of Mailing 37 C.F.R §1.8(a)  
dated April 4, 2005

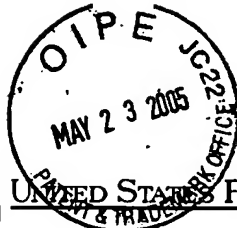
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DMC/mb



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23 MAY 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/509,258	Michael John Radley Young	1423-5 PCT US

INTERNATIONAL APPLICATION NO.

PCT/GB03/01336

LA. FILING DATE

PRIORITY DATE

03/27/2003

03/28/2002

Carter DeLuca Farrell & Schmidt  
 445 Broad Hollow Road, Suite 225  
 Melville, NY 11784

CONFIRMATION NO. 5378

371 FORMALITIES LETTER



\*OC000000015959072\*

Date Mailed: 05/11/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/27/2004
- Copy of the International Search Report filed on 09/27/2004
- Preliminary Amendments filed on 09/27/2004
- Information Disclosure Statements filed on 09/27/2004
- U.S. Basic National Fees filed on 09/27/2004
- Priority Documents filed on 09/27/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) has not been received.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,258	PCT/GB03/01336	1423-5 PCT US

FORM PCT/DO/EO/905 (371 Formalities Notice)